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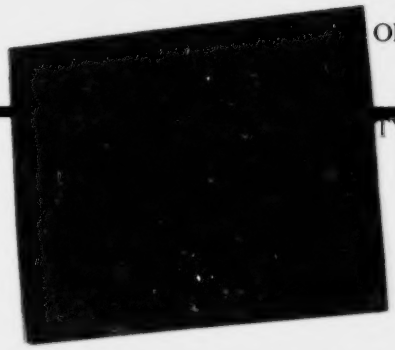

COMMISSION ON CRIME PREVENTION
AND CRIMINAL JUSTICE
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INTERNATIONAL COOPERATION IN COMBATING TRANSNATIONAL CRIME: ILLICIT TRAFFICKING IN MOTOR VEHICLES

Measures for the prevention and suppression of illicit trafficking in motor vehicles

Report of the Secretary-General

Summary

The present report provides an overview of the dimensions of illicit trafficking in motor vehicles and a summary of the responses received from States and relevant organizations pursuant to Economic and Social Council resolution 1995/27. It also highlights recent initiatives to strengthen international cooperation against this widespread type of crime, including the conference on Theft of and Illicit Trafficking in Motor Vehicles, held at Warsaw on 2 and 3 December 1996, the report of which is annexed to the present report.

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INTRODUCTION

1. On 24 July 1995, the Economic and Social Council adopted resolution 1995/27, on the implementation of the resolutions and recommendations of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995. In section II, paragraph 1, of that resolution, the Council requested the Commission to consider measures on the prevention and suppression of illicit trafficking in motor vehicles and requested the Secretary-General to seek the views of Governments and relevant organizations on the matter and to report to the Commission at its sixth session.

2. Pursuant to resolution 1995/27, the Secretariat requested the views of States and relevant organizations on the issue of the prevention and suppression of illicit trafficking in motor vehicles. As at 19 February 1997, replies had been received from Argentina, Australia, Belarus, Brazil, Brunei Darussalam, Colombia, Cyprus, Estonia, Finland, France, Germany, Greece, Guyana, India, Israel, Italy, Japan, Kuwait, Libyan Arab Jamahiriya, Luxembourg, Philippines, Saudi Arabia, Slovakia, Tunisia and Turkey.

3. Replies were also received from the Commonwealth of Independent States (CIS), the European Union (EU), the International Criminal Police Organization (ICPO/Interpol), the Organization of American States (OAS) and the Organization of African Unity (OAU). The Economic Commission for Europe (ECE) also provided information.

4. Among the institutes comprising the United Nations Crime Prevention and Criminal Justice Programme network, the European Institute for Crime Prevention and Control, affiliated with the United Nations, and the Australian Institute of Criminology provided information. In cooperation with the Ministry of the Interior of the Russian Federation, the European Institute has conducted a project on international cooperation in the prevention and control of illicit trafficking in motor vehicles. Relevant information was collected through a detailed questionnaire that was sent to all European countries, including the former Soviet republics. European countries that had previously replied to the questionnaire did not need to provide the information requested by the Secretariat pursuant to Economic and Social Council resolution 1995/27. Accordingly, Belarus and Finland, in their respective replies, referred to the above-mentioned questionnaire.

5. The present report contains a summary of the replies received, as well as an overview of the more recent international initiatives against illicit trafficking in motor vehicles, including, as an annex, a report of the Conference on Theft of and Illicit Trafficking in Motor Vehicles, held at Warsaw on 2 and 3 December 1996.

6. Attention is also drawn to the report of the Conference on International Cooperation in the Prevention and Control of the Theft of and Illicit Trafficking in Motor Vehicles, to be held in Moscow from 28 February to 2 March 1997, organized by the European Institute for Crime Prevention and Control and the Ministry of the Interior of the Russian Federation.

I. INTERNATIONAL DIMENSIONS OF ILLICIT TRAFFICKING IN MOTOR VEHICLES

7. Worldwide, organized transnational crime groups are becoming increasingly involved in illicit trafficking in motor vehicles, a criminal activity that, although considered low-risk, generates high profits. Thanks to well organized criminal networks and sophisticated schemes, motor vehicles stolen in one region are easily smuggled to far-flung destinations. Insufficient cooperation among law enforcement agencies, lack of appropriate controls prior to the registration of a motor vehicle, corruption, legislative discrepancies with regard to bona fide possession of a motor vehicle in various regions of the world, a variety of registration practices and differences in the level of training of vehicle inspectors are generally indicated as factors facilitating the involvement of organized transnational crime in this profitable form of illicit trafficking.

8. In Europe, for example, the transnationalization of the phenomenon has greatly benefited from the opening of the eastern European borders and the increased freedom of movement across the countries. Consequently, many Governments of the region have stressed the need for an efficient system to exchange information on stolen vehicles and for more effective international cooperation among law enforcement agencies, custom officials and border control authorities to prevent and control illicit trafficking in motor vehicles.

9. A major area for international cooperation is the recovery of stolen or embezzled vehicles. The Conference on Theft of and Illicit Trafficking in Motor Vehicles, held at Warsaw on 2 and 3 December 1996, recommended, among other things, that States be urged to negotiate and conclude bilateral and/or multilateral agreements for a simplified and effective procedure to recuperate stolen vehicles. Such agreements should clearly state, *inter alia*, documentation required, certification procedures, translation requirements, authorized expenses and applicability of value added tax. A model treaty is contained in the annex to the resolution contained in paragraph 4 of the report of the Conference annexed to the present report. States could also usefully rely on the existing United Nations model treaties on extradition, mutual assistance in criminal matters, transfer of proceedings and transfer of prisoners, as necessary, as tools in improving international cooperation in the investigation and prosecution of cases of illicit trafficking in motor vehicles.

II. INFORMATION RECEIVED FROM GOVERNMENTS

Argentina

10. In Argentina, a new law recently modified the sanctions for the various forms of crime involving motor vehicles (theft, joy-riding, conspiracy etc.). Statistics on the number of motor vehicles stolen in the country showed a decrease since 1994, while the percentage of recovered vehicles has decreased constantly since 1992.

Australia

11. In Australia, the incidence of motor vehicle theft increased between 1993 and 1995. In 1995, 126,919 motor vehicles were reported stolen.

Brazil

12. Brazil reported that a recent law had modified some articles of the penal code in order to impose stricter sanctions for crimes related to theft of motor vehicles. In particular, a provision was introduced to increase the sanctions against those taking a stolen vehicle to another state or country. The adulteration of identifying numbers or characteristics of the vehicle is now punishable by three to six years of imprisonment and a fine.

Brunei Darussalam

13. In Brunei Darussalam, no activities of illicit trafficking in motor vehicles have been reported to the police.

Colombia

14. Colombia reported an increase of 41 per cent in the number of stolen motor vehicles in 1996, including a high percentage of motorcycles, which represent the most common means of transportation in large parts of the country. Acts of violence were often perpetrated to obtain motor vehicles. Colombia indicated that illicit trafficking in motor vehicles, referred to as "motor vehicle-laundering", thrived on the corruption of relevant officials, including those responsible for registration. Insufficient training of law enforcement officials and lack of resources to carry out systematic controls at the border were other factors contributing to the rise in such crime. The theft of vehicles was related to the constant demand for cheap spare parts, which could only be satisfied through illicit means. Insurance fraud was also frequent. Although the problems relating to illicit trafficking in motor vehicles had been known for a number of years, the situation was deteriorating because no action was being taken at the appropriate levels and the legislation was inadequate to counter the phenomenon in its organized form. Colombia reported on its initiatives to improve international cooperation between law enforcement agencies from neighbouring countries, including bilateral agreements for the return of stolen vehicles. A number of measures to prevent or discourage illicit trafficking in motor vehicles had been proposed, for example, the universal use of the 17-digit vehicle identification number (VIN) for all motor vehicles, as in Europe and the United States of America, and the punishment of the illicit registration of a motor vehicle as a specific offence.

Cyprus

15. In Cyprus, the Department of Road Transport of the Ministry of Communications and Works has responsibility for the registration of motor vehicles. Before registration, a motor vehicle is inspected to verify whether the details on the registration document agree with those appearing on the vehicle itself. In case of doubt, or whenever the registration document does not seem genuine, the matter is referred to the police for investigation.

Estonia

16. In Estonia, the theft of motor vehicles decreased slightly in 1996 compared with 1995. There were two major theft patterns. Firstly, less valuable cars with poor security systems were usually stolen at night from a parking place or garage. Some were taken to the Russian Federation, mostly using fake documentation, or sold in Estonia. Most such cars, however, were sold for spare parts. Secondly, more expensive cars with better security systems were stolen less often, but were typically the target of organized crime, usually stolen on

request, and were likely to be sold abroad. High-quality fake documents were prepared in advance. Criminal organizations involved in this type of trafficking consisted, as a rule, of members from several countries. Estonia was more often on the receiving end of illicit trafficking in motor vehicles. Stolen vehicles with counterfeit documents and security codes were sold there for the purpose of legalizing and reselling them. A wide legal basis existed to prevent illicit trafficking in motor vehicles, including provisions of customs law, the penal code and a government decree to regulate the sale and acquisition of vehicles. Unfortunately, falsification of relevant documents with regard to movement, registration and sale of vehicles occurred. Efforts were reported to improve methods of control over the authenticity of documents. Difficulties in returning stolen vehicles to the country of origin were due to national laws protecting bona fide car owners.

France

17. France reported a decrease in the number of vehicles stolen in 1995, while the percentage of vehicles retrieved increased to 75 per cent. Organized crime groups were mainly stealing vehicles for spare parts or stealing more expensive models to be exported to North Africa, the Middle East and eastern Europe. A computerized national registration record (*fichier national des immatriculations*), which was introduced in 1994, together with provisions regulating the destruction of title documents of wrecked vehicles, had contributed to the decrease in thefts. Legal provisions had also been enacted to improve the security devices of motor vehicles, in compliance with EU directives. A national database (*fichier des véhicules volés*) gathering all information on vehicles reported stolen had been operational for years and was part of the Schengen database. A computerized national motor vehicle record (*fichier national automobiles*) had been established in 1994. Public awareness campaigns and specific training for law enforcement officials were indicated as other useful initiatives to prevent and control illicit trafficking in motor vehicles.

Germany

18. Germany reported that illicit trafficking in motor vehicles was an area covered by the act to suppress illegal drug trafficking and other manifestations of organized crime (OrgKG) of 15 July 1992, which contained specific legal provisions imposing severe penalties. In particular, the commission of gang theft under aggravated circumstances and gang trading in stolen property on a commercial basis were considered serious criminal offences. This has led to a number of consequences, such as the applicability of the provisions on money-laundering and the provisions on property and extended forfeiture, as well as the punishability of the early preparatory stage of such criminal offences under the provisions for conspiracy. The telephone-tapping catalogue under section 100 of the Criminal Procedure Code was also applicable to the above-mentioned offences. The Crime Suppression Act of 28 October 1994 had introduced penal provisions to cover the falsification of registration documents of motor vehicles and related offences.

Greece

19. Greece reported a constant increase in the number of stolen vehicles since 1992, while the recovery rate of stolen vehicles had dropped significantly. The penal code covered offences associated with illicit trafficking in motor vehicles, such as forgery, theft, appropriation, receipt and distribution of proceeds of crime. Legal provisions relevant to illicit trafficking in motor vehicles included article 100 of Law 1165/1918 (Customs Code), which described the different forms of smuggling, including the removal of the chassis number of a vehicle and the placement or integration thereof in any other vehicle for which the appropriate duties had not been paid. There existed also a Statutory Regulation No. 2/85 on lost, found, stolen articles and searches for persons and things, issued by the Ministry of the Interior and Public Order. Law 2331/1995 on the prevention and repression of the legalization of proceeds from criminal activities and other penal provisions and chapter 9 of Law 2094/1992 on the ratification of the highway code contained provisions regarding illicit trafficking in motor vehicles. Greece also indicated that there existed a route for the transportation of stolen luxury cars from

western to eastern Europe passing through Italy, Greece and Bulgaria. A number of bilateral agreements on police cooperation had been concluded with neighbouring and central European countries. At the national level, it was reported that the police was cooperating closely with the coast guards, custom officials, the judiciary and other relevant authorities.

Guyana

20. In Guyana, the theft of motor vehicles had become statistically relevant only over the past two years and the recovery rate was very high. There was no evidence of organized trafficking in motor vehicles and thefts tended to be related to the shortage of spare parts.

India

21. In India, because of the country's size and geographical configuration, illicit trafficking in motor vehicles was inter-state rather than international. There had been a constant increase in the number of stolen motor vehicles between 1992 and 1994, while the recovery rate had decreased from 50.1 to 39.3 per cent in the same period. The number of stolen motorcycles had decreased, as well as the recovery rate for that type of vehicle. With the computerization of the lost and recovered motor vehicle data at the national/state crime records bureaux, a no-objection certificate from a law enforcement agency had become mandatory to transfer ownership of a vehicle. Such a certificate guaranteed that the car in question was not stolen. The establishment of a computerized national transport registration and licensing system was under consideration.

Israel

22. In Israel, vehicle theft had been declared a national scourge by courts and prosecutors. The theft of motor vehicles was organized and structured into its component stages of vehicle orders, theft, dismantling into parts, sale of the parts on the free market and equipping the vehicle with a new, false identification. This criminal industry was part of the legal vehicle repair economy. No security device had proved effective against theft and dismantling was a thoroughly professionalized activity carried out in a number of concealed "chop shops". In 1995, 32,767 vehicles had been stolen, with a recovery rate of 40 per cent. A Stolen Vehicle Location Unit had been created in November 1994 under the sponsorship of the Association of Insurance Companies. In October 1995, an interministerial committee was established to examine possible countermeasures to combat this form of criminality. The committee issued a number of recommendations, including the following: extending the activity of the Stolen Vehicle Location Unit to all districts; establishing district and subdistrict investigation units; using magnetic cards and on-line procedures for the registration and transfer of ownership of motor vehicles; and tax exemptions for security devices. Further to a report by the committee, the adoption of a law regulating the use of and trade in spare parts of motor vehicles was imminent.

Italy

23. In Italy, there had been a slight increase in the number of stolen vehicles from 1995 to 1996. The recovery rate averaged around 50 per cent, although it differed greatly from region to region, ranging between 14.49 and 84.62 per cent. Among the initiatives reported was a coordination plan for the judicial police units of the traffic police to curb illicit trafficking in motor vehicles.

Japan

24. In Japan, 277,239 cases of theft of motor vehicles were reported to the police in 1995. Of these, the offenders were identified in 27.1 per cent of the cases. A large operation of illicit trafficking in motorcycles was investigated in 1994-1995 and two main patterns of export were identified: vehicles were being taken

abroad by exporters or else by crew members on ships as their personal belongings. The main receiving countries were China and Viet Nam. Acquisition or loss of ownership of a motor vehicle could not be claimed against a third party until the vehicle had been registered in the motor vehicle register file.

Kuwait

25. Kuwait reported on its Customs Law which contains provisions on smuggling offences applicable also to illicit trafficking in motor vehicles.

Libyan Arab Jamahiriya

26. In the Libyan Arab Jamahiriya, the highest rates of motor vehicle theft offences had been registered in the security district of Tripoli, which was highly urbanized. The number of motor vehicle theft offences registered from 1990 to 1995 had increased from 2,629 to 4,197. No illicit trafficking in stolen motor vehicles and no organized motor vehicle theft groups were reported in the Libyan Arab Jamahiriya. The value and availability of spare parts on the market greatly influenced the number of motor vehicles stolen. The involvement of workers at rubbish or scrap dumps in the theft of motor vehicles was indicated. Occasionally, police campaigns by security officers against car scrap complexes had positive results in the reduction of motor vehicle theft crimes.

Luxembourg

27. In Luxembourg, the number of motor vehicles reported stolen between 1988 and 1996 increased steadily until 1993 and then dropped considerably, in particular between 1995 and 1996. The recovery rate for vehicles stolen over the same period was between 29 and 45 per cent. Motor vehicles stolen in Luxembourg were usually exported to Belgium, eastern European countries, former Soviet republics, northern African countries and the Middle East. Besides theft, falsification of documents and alteration of identifying characteristics of motor vehicles, insurance fraud was a fairly common phenomenon. As a preventive measure, the registration procedure for imported vehicles had become more strict and controls were carried out more thoroughly. Since the establishment of the Schengen database, a number of stolen vehicles had been traced. In Belgium, the Netherlands and Luxembourg, EUCARIS, a computerized system to exchange information on the registration of motor vehicles, had been created. Luxembourg was also taking steps to join the ICPO/Interpol Automatic Search Facility (ASF) International Stolen Vehicle Database.

Philippines

28. In the Philippines, controls carried out by the Bureau of Customs in container vans had led to the accidental recovery of stolen vehicles. The Bureau played a critical role in preventing illicit trafficking in motor vehicles as an imported vehicle could not be registered unless proof of payment of duties and taxes was provided. The Land Transportation Office of the Department of Transportation was involved in the registration of motor vehicles. The Philippines indicated specific legal provisions covering carjacking and highway robbery. Vehicles taken forcibly accounted for 34.2 per cent of the vehicles stolen in 1996, while only 5 per cent of the cases involved vehicles stolen while parked. The Wanted Motor Vehicle Inquiry was a database established as a joint initiative by the Land Transportation Office, the Philippine National Police Traffic Management Group and the Philippine Coast Guard against illicit trafficking in motor vehicles. Registration of vehicles by the Land Transportation Office was subject to previous clearance from the police, while the coast guards denied transport of vehicles from island to island without the required permit issued by the Traffic Management Group.

Saudi Arabia

29. Saudi Arabia reported that cases of stolen and smuggled motor vehicles involving organized crime had been brought to the attention of the authorities years before. For any imported vehicle suspected of being stolen, thorough controls were carried out to ascertain the exporter and verify the legality of the procedure. If a document from the security authorities in the country of origin or the country from which the vehicle was shipped was presented, the competent officials at entry points were to ascertain that the vehicle had not been claimed by the authorities in either country.

Slovakia

30. Slovakia reported that illicit trafficking in motor vehicles had become a matter of concern since 1990 and the number of reported cases had reached a peak in 1993. Serious countermeasures adopted in 1995 had contributed to the reduction of cases and to an increase in the recovery and disclosure rates. Slovakia described itself as both a transit and a destination country for stolen vehicles. Large numbers of misappropriated vehicles were seized at the border. Organized crime was involved in the falsification of documents, trafficking and tax evasion, a situation due to changes in the social and economic system of the country and the opening of borders, which had resulted in an uncontrollable movement of persons, including foreigners, and an increase in the demand for and registration of expensive cars. Insurance frauds were also quite frequent, although no data were available. The organization of criminal groups had become more complex in the last few years. Law enforcement officials tended to uncover low-level couriers rather than individuals at the top level of criminal organizations. Criminals were increasingly using high-technology devices to incapacitate sophisticated security systems. A number of initiatives on the subject were reported, including a study by the Police Academy and an international conference held in 1995. Legal provisions against illicit trafficking in motor vehicles were under revision, while registration documents had recently been redesigned with security features. A central registration system had been established as a result of cooperation between the police and Car Code Bratislava, a company that had created a coding system now required as a mandatory feature by insurance companies in Slovakia. This system consisted of carving the last eight figures of the VIN of each vehicle on its windows in order to facilitate its identification and recovery in case of theft. Slovakia was one of the first countries to download its national database on stolen vehicles into the ICPO/Interpol ASF International Stolen Vehicle Database.

Tunisia

31. In Tunisia, illicit trafficking in motor vehicles had become apparent around the mid-1980s, targeting in particular luxury vehicles. Such vehicles were easy to obtain from European countries such as Belgium, France, Germany, Italy and Switzerland. Various methods could be used to steal or misappropriate motor vehicles, such as hire purchase or rent and subsequent sale. An organized criminal group had been detected, which included members from neighbouring countries and was involved in the theft of Tunisian luxury vehicles for sale outside the country.

Turkey

32. Turkey reported the recent establishment of a computerized registration system. Relevant documents had been redesigned and made more difficult to forge through hologrammes. A security code system on registration plates had been introduced nationally to prevent theft of motor vehicles and plates. All information on a vehicle reported stolen was recorded in the Stolen Motor Vehicle Project and disseminated all over the country. Turkey was also considering joining the ICPO/Interpol ASF International Stolen Vehicle Database.

III. INFORMATION RECEIVED FROM ORGANIZATIONS

33. The Commonwealth of Independent States (CIS) indicated that illicit trafficking in motor vehicles had increased since 1988, reaching a peak in 1992. A package of countermeasures adopted in 1993-1995 had led to a decrease in this type of crime in some of the CIS member States despite the rapid increase in the number of cars available. In most CIS member States, and particularly in the central Asian region, the number of cases had fallen dramatically since 1994. In the western region of CIS the problem continued to be serious and the number of thefts and unauthorized use of motor vehicles was rising, while the success rate in solving such crimes remained low. Given the economic vulnerability of the population in those countries, the theft of tens of thousands of motor vehicles was a major destabilizing factor. The proportion of unreported thefts was also extremely high, as many victims preferred to approach criminal organizations directly to recover their vehicles upon payment of a fee. Large numbers of motor vehicles were illicitly imported from countries outside CIS. The inter-state programme of joint measures to combat organized crime and other types of dangerous crimes in the territory of the CIS member States provided for further discussion on the creation of a centralized data bank on stolen motor vehicles in CIS and other States.

34. Member States of the European Union (EU) considered the fight against illicit trafficking in motor vehicles to be an important issue in the programme on organized crime. The matter was included in the mandates of both the future European police force (Europol) and its forerunner, the Europol Drugs Unit (EDU). A 1995 Directive of the European Commission (95/56/CE of 8 November 1995) had amended a previous directive on anti-theft devices and had introduced the mandatory equipment of all new cars with electronic immobilizers. EDU was preparing a situation report on trafficking in stolen vehicles.

35. The International Criminal Police Organization (ICPO/Interpol) had developed a motor vehicle crime action plan and an international stolen vehicle database. The Analytical Criminal Intelligence Unit of the General Secretariat had produced a report entitled "Project Roadrunner" on the routes used for vehicle trafficking in Europe, together with information on the organized groups involved. The ICPO/Interpol ASF International Stolen Vehicle Database, which became operational in April 1996, contains details of stolen and misappropriated vehicles including their VIN or chassis numbers, while no personal information is recorded on it. Interpol national central bureaux or national police authorities of participating countries are responsible for creating, modifying and deleting the stolen vehicle records, using specified message formats. This is achieved electronically using an international e-mail protocol (x-400) to link up to the central stolen vehicle database at the General Secretariat and is carried out on a daily basis. There are three options for entering data into the system and subsequently interrogating it. Special software has been developed and made available to requesting countries by ICPO/Interpol to help them to update and use the system.

36. The Organization of American States (OAS) referred to three international treaties on the subject, namely, the Convention on the Regulation of Automotive Traffic of 1930, the Convention on the Regulation of Inter-American Automotive Traffic of 1943 and the Regional Agreement for the Temporary Importation of Vehicles by Highway of 1956.

37. The Organization of African Unity (OAU) reported that there was great awareness among its member States of the worsening situation with regard to theft of and illicit trafficking in motor vehicles. The problem had been tackled at the national level by individual countries concerned and some efforts had been made to coordinate such activities among neighbouring countries.

38. The Economic Commission for Europe (ECE), within its work programme in the area of transport and standards for the construction of vehicles, referred to Regulation No. 18 and amendments, on uniform provisions concerning the approval of power-drive vehicles with regard to their protection against unauthorized use, and

Regulation No. 97 and amendments, on uniform provisions concerning the approval of vehicle alarm systems and of motor vehicles with regard to their alarm systems.

39. The Australian Institute of Criminology was in close contact with the recently established National Motor Vehicle Theft Task Force to examine the issues of motor vehicle theft in Australia. In Australia there are two national databases gathering information relevant to the prevention of the illicit trafficking in motor vehicles, the NEVDIS database, which coordinates motor registration data and is run by Austroads, a federal agency, and the National Wrecks Register.

40. The European Institute for Crime Prevention and Control, together with the Ministry of the Interior of the Russian Federation, carried out a project on the prevention and control of theft of and illicit trafficking in motor vehicles in several countries in Europe. A report was prepared on the basis of replies received in response to the questionnaire on motor vehicle crime sent to all European countries and is to be presented at the Conference on International Cooperation in the Prevention and Control of the Theft of and Illicit Trafficking in Motor Vehicles, held in Moscow from 28 February to 2 March 1997 (see also para. 4 above). The questionnaire focused on seven topics: statistical background data; registration for ownership; registration of motor vehicle theft or misappropriation; import and export of misappropriated motor vehicles; seizure and return of a stolen or misappropriated motor vehicle; issues in international cooperation; and proposals for the improvement of international cooperation. As of January 1997, replies had been received from 32 countries. It was apparent that methods to compile statistics varied from country to country and that not all information provided was comparable. From the survey it emerged that the growth of motor vehicle crime had stabilized in western Europe, but it was still strong in many eastern European countries. Eastern European countries, with their limited automobile availability, especially in relation to the most desirable makes and models, were the most important target countries for misappropriated motor vehicles. Western European countries had become countries of origin since they had a large number of desirable motor vehicles available. Along with economic development, the car park in eastern European countries had increased and improved rapidly, so that the pressure of motor vehicle crime had moved to those areas and the situation in western Europe had improved. At the peak of illicit trafficking in motor vehicles in western Europe, international cooperation mechanisms had been developed, also involving insurance companies and car manufacturers. Such mechanisms had now been adopted by eastern European countries. Dramatic progress had been made in the computerization of motor vehicle registration data systems and stolen vehicle databases. In general, international cooperation against this type of crime had improved but was still inadequate and the flow of information among relevant agencies, at the national and international levels, was reportedly still inefficient. Where international agreements had been concluded, practical procedures for their implementation had not been devised. Problems relating to languages, different registration procedures and relevant documents had not yet been solved satisfactorily. Countries had been slow in joining the ICPO/Interpol ASF International Stolen Vehicle Database, which had not reached its potential so far. Conflicting jurisdictions among various law enforcement agencies at the national level were also hampering an effective response to this form of crime.

IV. ACTION REQUIRED BY THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE

41. On the basis of the information contained in the present report, the recommendations of the Warsaw Conference in its annex and the Moscow declaration (to be submitted to the Commission in a conference room paper), the Commission may wish to suggest measures to prevent and control illicit trafficking in motor vehicles.

42. In particular, the Commission may wish to examine the priorities for action to strengthen international cooperation among the various law enforcement agencies involved in the fight against illicit trafficking in motor vehicles.

43. Many Governments indicated an urgent need to provide specific training for law enforcement officials on relevant issues, with a view to increasing the effectiveness of border controls, upgrading skills in identifying motor vehicles with false documents or altered security features and improving the reliability of document controls prior to the registration of a motor vehicle. The Commission may wish to endorse the recommendations made by the Warsaw Conference in that respect. If the Commission decides to do so, the Division, in cooperation with the private sector, may elaborate a training manual for law enforcement and customs personnel on the prevention and control of trafficking in stolen and misappropriated vehicles, for use in the provision of practical assistance to requesting Member States.

44. The attention of the Commission is also drawn to the model treaty for the return of stolen or embezzled vehicles, contained in the annex to the resolution contained in paragraph 4 of the report of the Warsaw Conference, which represents an effective tool to facilitate the procedure to recuperate stolen vehicles.

Annex

REPORT OF THE CONFERENCE ON THEFT OF AND ILLICIT TRAFFICKING IN MOTOR VEHICLES

(Warsaw, 2 and 3 December 1996)

INTRODUCTION

1. On the recommendation of the Ninth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Cairo from 29 April to 8 May 1995, as endorsed by the Commission on Crime Prevention and Criminal Justice at its fourth session, the Economic and Social Council adopted resolution 1995/27 of 24 July 1995, in section II, paragraph 1 of which the Council requested the Commission to consider measures on the prevention and suppression of illicit trafficking in motor vehicles, and requested the Secretary-General to seek the views of Governments and relevant organizations on the matter and to report to the Commission at its sixth session.

2. Pursuant to that mandate, the Secretariat requested all Member States and relevant organizations to provide information and data on the illicit trafficking in motor vehicles. The European Institute for Crime Prevention and Control, affiliated with the United Nations, in cooperation with the Ministry of the Interior of the Russian Federation, is conducting a survey on the problem in countries of Europe and central Asia, with the view to assessing current trends in a conference to be convened in Moscow from 28 February to 2 March 1997.

3. At the invitation of the Government of Poland and with the support of the Government of the United States of America, the Crime Prevention and Criminal Justice Division organized the Conference on Theft of and Illicit Trafficking in Motor Vehicles, held at Warsaw on 2 and 3 December 1996.

I. RECOMMENDATIONS

4. On 3 December 1996, the Conference unanimously passed the following resolution:

"*The Conference on Theft of and Illicit Trafficking in Motor Vehicles*,

"*Alarmed* by the rapid growth and geographical expansion of illicit trafficking in motor vehicles, which increasingly transcends national borders,

"*Concerned* about the increasing role of transnational organized crime in theft of and illicit trafficking in motor vehicles,

"*Recognizing* that car theft and illicit trafficking in motor vehicles, with their high costs, have adverse effects on the safety and national economies of Member States,

"*Recalling* Economic and Social Council resolution 1995/27 of 24 July 1995,

"*Emphasizing* the need for strengthened and more effective international cooperation at all levels to combat illicit trafficking in motor vehicles,

"*Acknowledging* in particular the importance of international police cooperation in the prevention and fight against illicit trafficking in motor vehicles, and the need for rapid exchange of information among countries on the status and origins of motor vehicles,

"*Recognizing* the work already undertaken by the International Criminal Police Organization (Interpol) in establishing a worldwide stolen vehicle database,

"*Welcoming* the participation of and contributions by the representatives of the private sector, in particular insurance companies, insurance crime bureaux and car manufacturers,

"1. *Expresses its appreciation* to the Government of Poland for acting as host to the Conference and to the Government of the United States of America for generously providing the funding for it;

"2. *Submits* the following recommendations to the Commission on Crime Prevention and Criminal Justice for consideration and action at its sixth session:[a]

"*(a)* Member States are encouraged to improve the exchange of information on theft of and illicit trafficking in motor vehicles. For this purpose, Member States are encouraged to explore the possibility of establishing national databases on stolen vehicles and other pertinent information and to support the efforts of the International Criminal Police Organization (Interpol) by supplying their national data on stolen vehicles, in accordance with the specified methods available, to the International Criminal Police Organization/Interpol Automatic Search Facility International Stolen Vehicle Database as an important tool for combating international vehicle trafficking. Further, Member States are urged to exchange information actively at the bilateral, subregional or regional levels, and through appropriate international law enforcement entities, in order to combat illicit trafficking in motor vehicles more effectively;

"*(b)* Member States should consider developing compatible registration and titling procedures and documents for vehicles in order to facilitate the identification of the rightful owner by law enforcement personnel and customs authorities. As a first step towards achieving this goal, Member States are urged to harmonize the elements contained in the registration documents of motor vehicles as a significant means of preventing the illicit trafficking in motor vehicles and to consider the possibility of integrating their national stolen vehicle databases into the International Criminal Police Organization/Interpol Automatic Search Facility International Stolen Vehicle Database. Member States should explore the possibility of establishing salvage-control procedures to ensure that the title documents of wrecked vehicles are not used on stolen vehicles. They should also exchange information on how to improve the security features of car registration documents;

"*(c)* Member States should consider making any necessary changes in their respective national laws and procedures aimed at improving the response of the justice system to vehicle theft and trafficking and at minimizing conflicting property issues arising from the international repatriation of stolen vehicles;

"*(d)* Member States should make all possible efforts to strengthen their cooperation in this field, at the bilateral, regional and interregional levels. In this context, Member States are encouraged:

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[a]These recommendations will be brought to the attention of the forthcoming meeting on stolen vehicles, to be organized in Moscow from 28 February to 2 March 1997, by the European Institute for Crime Prevention and Control, affiliated with the United Nations, in cooperation with the Ministry of the Interior of the Russian Federation, to consider the final results of the survey conducted in Europe by the European Institute.

"*(i)* Actively to promote close operational cooperation and exchange of information among relevant law enforcement agencies across national borders to detect, apprehend and bring to justice traffickers in stolen vehicles and to promote close cooperation among other relevant agencies to ensure recuperation and return of such stolen vehicles to their rightful owners;

"*(ii)* To respond promptly to requests from appropriate law enforcement agencies of other States for assistance in the recovery of stolen vehicles;

"*(e)* Member States are urged to improve international cooperation in the field of prevention and control of theft of, trafficking in and other offences in connection with stolen vehicles. Member States are also urged to negotiate and conclude bilateral and/or multilateral agreements for a simplified and effective procedure to recuperate stolen vehicles. Such agreements should clearly define, *inter alia*, documentation required, certification procedures, translation requirements, authorized expenses and applicability of value added tax. In this connection, Member States are urged to rely on the model treaty contained in the annex to the present resolution. Member States are also urged to rely on the existing United Nations model treaties on extradition, mutual assistance in criminal matters, transfer of proceedings and transfer of prisoners, as necessary, as useful tools in improving international cooperation in the investigation and prosecution of cases of illicit trafficking in motor vehicles;

"*(f)* Member States should be encouraged to adopt a standard world vehicle identification number system format applying to all vehicles manufactured within or exported to Member States;

"*(g)* The Commission is encouraged to request the Secretary-General:

"*(i)* To elaborate a training manual for law enforcement and customs personnel on the prevention and control of trafficking in stolen and misappropriated vehicles, for use in the provision of practical assistance to Member States upon request;

"*(ii)* To develop and carry out training programmes on the recovery of stolen vehicles in countries requesting technical assistance for law enforcement and customs personnel;

"*(iii)* To provide advisory services to Member States upon request for the elaboration or reform of pertinent legislation, as well as for the development of bilateral, multilateral and/or regional treaties in this area;

"*(h)* Member States and the private sector are urged to assist the Secretary-General in undertaking the activities contained in subparagraph *(g)* above;

"3. *Recommends that* the fight against theft of and trafficking in stolen vehicles take into account recent progress in anti-theft and immobilizing systems and the possibilities offered by new technologies. In conjunction with the efforts made by appropriate government authorities, vehicle manufacturers, insurance companies and equipment manufacturers should further study and improve identification systems for vehicles and spare parts, sharing their findings with the relevant law enforcement agencies.

"**ANNEX**

"**Model treaty for the return of stolen or embezzled vehicles**

"(*The Government of* [country name] *and the Government of* [country name];[a])

"or

"(*The States Parties to the present Treaty*[b])

"*Recognizing* the growing problem of theft of and illicit trafficking in motor vehicles.

"*Considering* the difficulties faced by innocent owners in securing the return of motor vehicles stolen or embezzled in the territory of one Party that are recovered in the territory of another Party.

"*Desiring* to eliminate such difficulties and to regularize procedures for the expeditious return of such vehicles.

"*Have agreed* as follows:

"*Article 1*

"For the purposes of the present Treaty:

"1. A 'vehicle' shall mean any automobile, truck, bus, motorcycle, motorhome or trailer.

"2. A vehicle shall be considered 'stolen' when possession thereof has been obtained without the consent of the owner or other person legally authorized to use such motor vehicle.

"3. A vehicle shall be considered 'embezzled' when:

"(*a*) It is unlawfully converted by the person who had rented it from an enterprise legally authorized for that purpose and in the normal course of business; or

"(*b*) It is unlawfully converted by a person with whom it has been deposited by official or judicial action.

"4. All references to 'days' shall mean calendar days.

"*Article 2*

"Each Party agrees to return, in accordance with the terms of the present Treaty, vehicles that are:

"1. Registered, titled or otherwise documented in the territory of a Party;

"2. Stolen or embezzled in the territory of a Party; and

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[a]This provision would be applicable to bilateral agreements.
[b]This provision would be applicable to subregional or regional agreements.

"3. Found in the territory of a Party.

"Article 3

"1. Whenever police, customs or other authorities of a Party impound or seize a vehicle that they have reason to believe is registered, titled or otherwise documented in the territory of another Party, the first Party shall, within [thirty] days of such impoundment or seizure, notify, in writing, the Embassy of the other Party that its authorities have custody of the motor vehicle.

"2. Such notification shall include all available identifying data about the vehicle of the type listed in appendix I to the present model treaty, a description of the condition of the motor vehicle, the current location of the vehicle, the identity of the authority with physical custody of the vehicle and any information that indicates whether it was being used in connection with the commission of a crime.

"Article 4

"Authorities of the Party who have impounded or seized a vehicle that they have reason to believe is registered, titled, or otherwise documented in the territory of another Party shall promptly take it to a storage area and shall take reasonable steps regarding the safekeeping of the vehicle. The said authorities shall not thereafter operate, auction, dismantle or otherwise alter or dispose of the vehicle. However, the present Treaty shall not preclude the said authorities from operating, auctioning, dismantling or otherwise altering or disposing of the vehicle if:

"(*a*) No request for the return of the vehicle is filed within [sixty] days of the notification made pursuant to Article 3 above;

"(*b*) A determination is made in accordance with paragraph 1 of Article 7 below that a request for the return of the vehicle does not meet the requirements of the present Treaty and notification of such determination has been made in accordance with paragraph 3 of Article 7;

"(*c*) The vehicle has not been retrieved, within the time period stated in paragraph 2 of Article 7 below, by the person identified in the request for return as the owner or the owner's authorized representative after the vehicle has been made available as provided in paragraph 2 of Article 7; or

"(*d*) There is no obligation under the present Treaty pursuant to paragraphs 2 or 3 of Article 8 below to return the vehicle.

"Article 5

"1. After receiving a notification made pursuant to Article 3, above a Party may submit a request for the return of the vehicle.

"2. The request for return shall be transmitted under seal of a consular officer of the Requesting Party and shall follow the form shown in appendix II. A copy of the request shall be transmitted under cover of a note to the Ministry of Foreign Affairs of the Requested Party. A request shall be made only after receipt by the consular officer of properly notarized certified copies of the following documents:

"(*a*) (*i*) The title of ownership to the vehicle, if the vehicle is subject to titling, but, if a title is not available, a certified statement from the titling authority that the motor vehicle is titled and specifying the person or entity to whom it is titled;

"(*ii*) The certificate of registration of the vehicle, if the vehicle is subject to registration, but, if the registration document is not available, a certified statement from the registering authority that the vehicle is registered and specifying the person or entity to whom it is registered;

"(*iii*) The bill of sale or other documentation that establishes ownership of the vehicle, in the event the vehicle is not titled or registered;

"(*b*) The document of transfer, if, subsequent to the theft or embezzlement of the vehicle, the owner at the time of the theft or embezzlement has transferred ownership to a third party;

"(*c*) The theft report, made within a reasonable time to a competent authority in the Requesting Party, and a translation thereof. In the event that the theft report is made after the vehicle is seized or otherwise comes into possession of the Requested Party, the person seeking its return shall furnish a document justifying the reasons for the delay in reporting the theft and may provide any supporting documentation therefor; and

"(*d*) In cases in which the person requesting the return of a vehicle is not the owner, a power of attorney, granted in the presence of a notary public by the owner or his legal representative, authorizing that person to recover the vehicle.

Except as noted in subparagraph (*c*), translations of documents need not be provided. The requirement for translation of a theft report may be waived by authorities of the Requested Party. No further legalization or authentication of documents will be required by the Requested Party.

"*Article 6*

"If a Party learns, through means other than a notification made pursuant to Article 3 above, that the authorities of another Party may have impounded, seized or otherwise taken possession of a vehicle that may be registered or otherwise documented in the territory of the first Party, that Party:

"(*a*) May, through a note to the Ministry of Foreign Affairs of the other Party, seek official confirmation of this and may request the other Party to provide the notification described in Article 3, in which case the other Party shall either provide the notification or explain, in writing, why notification is not required; and

"(*b*) May also, in appropriate cases, submit a request for the return of the vehicle as described in Article 5 above.

"*Article 7*

"1. Except as provided for in Article 8 below, the Requested Party shall, within [thirty] days of receiving a request for the return of a stolen or embezzled vehicle, determine whether the request for return meets the requirements of the present Treaty and shall notify the Embassy of the Requesting Party of its determination.

"2. If the Requested Party determines that the request for the return of a stolen or embezzled vehicle meets the requirements of the present Treaty, the Requested Party shall within [fifteen] days of such determination make the vehicle available to the person identified in the request for return as the owner or the owner's authorized representative. The vehicle shall remain available for the person identified in the

request for return as the owner or the owner's authorized representative to take delivery for at least [ninety] days. The Requested Party shall take necessary measures to permit the owner or the owner's authorized representative to take delivery of the vehicle and return it to the territory of the Requesting Party.

"3. If the Requested Party determines that the request for return does not meet the requirements of the present Treaty, it shall provide written notification to the Embassy of the Requesting Party.

"Article 8

"1. If a vehicle whose return is requested is being held in connection with a criminal investigation or prosecution, its return pursuant to the present Treaty shall be effected when its presence is no longer required for purposes of that investigation or prosecution. The Requested Party shall, however, take all practicable measures to assure that substitute pictorial or other evidence is used wherever possible in such investigation or prosecution so that the vehicle may be returned as soon as possible.

"2. If the ownership or custody of a vehicle whose return is requested is the subject of a pending judicial action in the Requested Party, its return pursuant to the present Treaty shall be effected at the conclusion of that judicial action. However, a Party shall have no obligation under the Treaty to return the vehicle if such judicial action results in the award of the vehicle to a person other than the person identified in the request for return as the owner of the vehicle or the owner's authorized representative.

"3. A Party shall have no obligation under the present Treaty to return a vehicle whose return is requested if the vehicle is subject to forfeiture under its laws because it was used in its territory for the commission of a crime. The Requested Party shall not forfeit the vehicle without giving the owner or the owner's authorized representative reasonable notice and an opportunity to contest such forfeiture in accordance with its laws.

"4. A Party shall have no obligation under the present Treaty to return a stolen or embezzled vehicle if no request for return is made within [sixty] days of a notification made pursuant to Article 3 above.

"5. If the return of a stolen or embezzled vehicle whose return is requested is postponed, pursuant to paragraphs 1 or 2 of the present Article, the Requested Party shall so notify the Embassy of the Requesting Party in writing within [thirty] days of receiving a request for the return of the vehicle.

"Article 9

"1. The Requested Party shall not impose any import or export duties, taxes, fines or other monetary penalties or charges on vehicles returned in accordance with the present Treaty, or on their owners or authorized representatives, as a condition for the return of such vehicles.

"2. Actual expenses incurred in the return of the vehicle, including towing costs, storage costs, maintenance costs, transportation costs and costs of translation of documents required under the present Treaty, shall be borne by the person or entity seeking its return and shall be paid prior to the return of the vehicle. The Requested Party shall use its best efforts to keep such expenses at reasonable levels.

"3. In particular cases, the expenses of return may include the costs of any repairs or reconditioning of a vehicle that may have been necessary to permit the vehicle to be moved to a storage area or to maintain it in the condition in which it was found. The person or entity seeking the return of a vehicle shall not be responsible for the costs of any other work performed on the vehicle while it was in the custody of the authorities of the Requested Party.

"Article 10

"The mechanisms for the recovery and return of stolen or embezzled vehicles under the present Treaty shall be in addition to those available under the laws of the Requested Party. Nothing in the Treaty shall impair any rights for the recovery of stolen or embezzled vehicles under applicable law.

"Article 11

"1. Any differences regarding the interpretation or application of the present Treaty shall be resolved through consultations between the Parties.

"2. The present Treaty shall be subject to ratification. It shall enter into force on the date of exchange of instruments of ratification.

"3. The present Treaty may be terminated by either Party upon a minimum of [ninety] days' written notification.[c]

DONE at [site], this _____ day of _____, ____, in duplicate, in the _____ and _____ languages, both texts being equally authentic.

"ANNEX I

"Identifying information to be provided in a notification made pursuant to Article 3

"1. Vehicle identification number.

"2. Name of manufacturer of vehicle.

"3. Vehicle model and year of manufacture, if known.

"4. Colour of vehicle.

"5. Licence plate number of vehicle and jurisdiction of issuance, if available.

"6. City/other jurisdiction tag or sticker number and name of city/other jurisdiction, if available.

"7. A description of the condition of the vehicle, including mobility of vehicle, if known, and repairs that appear necessary.

"8. The current location of the vehicle.

"9. The identity of the authority having physical custody of the vehicle and a contact point, including name, address and telephone number, of the official having recovery information.

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[c]Applicable to bilateral agreements. Other suitable provisions, in accordance with international law and standard practice, would need to be inserted for subregional or regional agreements.

"10. Any information that indicates whether the vehicle was being used in connection with the commission of a crime.

"11. Whether it appears that the vehicle may be subject to forfeiture under the laws of the notifying State.

"ANNEX II

"Request for the return of a stolen or embezzled vehicle

"The Embassy of [country name] respectfully requests that (the appropriate authority of) [country name] return the vehicle described below to (its owner/its owner's authorized representative) in accordance with the Treaty for the Return of Stolen or Embezzled Vehicles:

"Make:
"Model (year):
"Type:
"Vehicle identification number:
"Licence plates:
"Registered owner:

"The Embassy of [country name] certifies that it has examined the following documents, which have been presented by (identity of person submitting documents) as evidence of (his or her ownership of the vehicle/ownership of the vehicle by the person for whom he or she is acting as authorized representative) and found them to be properly certified under the laws of (appropriate jurisdiction):

"(*a*) (Document description);
"(*b*) (Document description);
"(*c*) (Document description);
"(*d*) (Document description).

"Complimentary close
"Place and date
"Attachments"

II. ORGANIZATION OF THE CONFERENCE

A. Attendance

5. The following Member States were represented at the Conference: Austria, Belarus, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Republic of Moldova, Romania, Russian Federation, Slovakia, Spain, Sweden, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

6. Japan was represented by an observer.

7. The United Nations Development Programme (UNDP) was also represented by an observer.

8. The following institutes were represented: United Nations Interregional Crime and Justice Research Institute and European Institute for Crime Prevention and Control, affiliated with the United Nations.

9. The following intergovernmental organizations were represented by observers: European Commission, Europol Drugs Unit, International Criminal Police Organization (ICPO/Interpol) and International Road Traffic Organization (IRTO).

10. The following other organizations were represented by observers: Groupement d'assureurs français pour l'identification, la recherche et la récupération de véhicules indemnisés (ARGOS), Canadian Automobile Theft Bureau, Comité européen des assurances, Finnish Traffic Insurance Centre, International Association of Auto Theft Investigators, International Touring Alliance, Mercedes Benz AG, National Insurance Crime Bureau, Renault SA and Swedish Insurance Investigation Unit.

B. Opening of the Conference

11. The Conference was opened by Mr. Wlodzimierz Cimoszewicz, Prime Minister of Poland. In welcoming the participants, he emphasized the growing threat posed by organized transnational crime in all its insidious forms, including theft of and illicit trafficking in motor vehicles. He stressed that the Conference should be viewed as a practical step towards implementing the Naples Political Declaration and Global Action Plan against Organized Transnational Crime (see A/49/748, annex, chap. IV.A), which he considered a turning point of international cooperation in the fight against organized crime. He reiterated the strong commitment of the Government of Poland to continue playing a leading role in promoting international cooperation in the field, as evidenced by the recent proposal of the President of the Republic of Poland to the General Assembly at its fifty-first session regarding a draft framework convention against organized crime. He highlighted the importance for the Conference to arrive at concrete recommendations that could improve national and international capacities effectively to counter this form of crime by new legal and technical means.

12. The Officer-in-Charge of the Crime Prevention and Criminal Justice Division, on behalf of the Secretary-General and the Director-General of the United Nations Office at Vienna, expressed his sincere thanks to the Government of Poland for its unwavering support to the United Nations Crime Prevention and Criminal Justice Programme. The Conference was designed to address a problem that had grown in size and in impact and was becoming increasingly transnational in nature. Theft of and illicit trafficking in motor vehicles had become another activity of organized crime that employed methods such as corruption of public officials and bribery in the private sector, thereby undermining both democratic and economic institutions. The Conference was innovative in that it brought together for the first time in the context of the United Nations Crime Programme representatives of both Governments and the private sector. Effective solutions depended on the synergy between public institutions and the manufacturing and insurance industries.

C. Election of officers

13. The Conference elected the following officers by acclamation:

Chairman:	Andrzej Anklewicz (Poland)
Vice-Chairmen:	René Bregeon (France) and Konstantin Goriainov (Russian Federation)
Rapporteur:	Jonathan M. Winer (United States of America)

14. The Conference decided to establish an informal open-ended working group to consider draft proposals and recommendations and to entrust it to Vice-Chairman Goriainov.

D. Adoption of the agenda

15. The Conference adopted the following agenda:

1. Opening of the Conference.
2. Election of officers.

3. Adoption of the agenda.
4. General overview of the situation.
5. Exchange of information.
6. National legislation, including regulations on registration of vehicle and procedures for the recovery of stolen vehicles.
7. International cooperation and the role of the private sector in the prevention and control of the theft of and illicit trafficking in motor vehicles.
8. Conclusions and recommendations.
9. Adoption of the report.

III. SUMMARY OF THE DISCUSSION

16. Before opening the discussion, the Chairman, the Deputy Minister of the Interior of Poland, thanked the participants for the confidence displayed in his Government and underlined that he was looking forward to a wealth of information and a productive exchange of views leading to common solutions to a common problem.

17. Delegations provided information on patterns and dynamics of related types of crime in their respective countries, as well as its impact on neighbouring and other countries. They also elaborated on their specific approaches to tackling the theft of motor vehicles. Reference was made to the establishment of bilateral computerized linkages allowing a rapid exchange of data on stolen motor vehicles among concerned law enforcement agencies. Some delegations and observers reported on new technologies to improve marking and identification of motor vehicles and to track stolen vehicles through the use of satellites and radio frequencies. Speakers pointed out that they were concerned about the lack of effective international cooperation, which was caused in part by loopholes in national legislation and controls. The need for efficient and expeditious exchange of information was highlighted in particular, while safeguarding the rights of the individual, especially the right to privacy. In order to improve international cooperation, it was necessary to work towards uniform registration procedures and documents. It was pointed out that the problems caused by the multiplicity and divergence of such documents and procedures were exacerbated by the different languages and the lack of knowledge and experience of border control personnel. Further, it was stressed that countries should improve their cooperation regarding recovery and return of stolen vehicles.

18. One representative reported on the results of two meetings of police officers from 24 European countries, which had taken place in the second half of 1996. While he emphasized the technical aspect of those meetings, he also highlighted the value of their recommendations as regards better training for police.

19. Other representatives informed the Conference of current progress in the establishment and functioning of national data banks. In the United States, for example, the National Crime Information Center was engaged in 1.5 million transactions per day dealing with creation and cancellation of records and responses to queries. Canada had some access to data of the National Crime Information Center and other countries could obtain authorized access to it by signing a state user agreement.

20. Observers from the United Nations Interregional Crime and Justice Research Institute and the European Institute for Crime Prevention and Control reported on their current initiatives in the field. The observer from the United Nations Interregional Crime and Justice Research Institute highlighted some of the current trends in car theft on the basis of a victimization study carried out in a number of developed and developing countries. The observer from the European Institute shared some preliminary findings from the European survey conducted in cooperation with the Ministry of the Interior of the Russian Federation.

21. The observers from ICPO/Interpol made a presentation on the ICPO/Interpol ASF International Stolen Vehicle Database, which was intended as a single reference point for stolen vehicle information. Access to the database would be made available to all States members of ICPO/Interpol in the near future. It was estimated

that, when fully operational, the database would result in a significant reduction of workload for police authorities. For countries without a national stolen vehicle database, the ICPO/Interpol database was intended to serve that function. There were three possible methods of updating the database, while the method of inquiry was in an easy-to-use Windows format. The Interpol telecommunications network was expected to cover the world by 1998. There were currently 4 countries transferring data, while 13 others had acquired the software needed for interrogating and remotely updating the database. Five more countries were preparing to download data. Countries in South America were currently receiving training in using the software.

22. Observers from insurance companies and vehicle manufacturers informed the Conference of their activities related to the prevention and control of this form of criminal activity. In particular, it was mentioned that new systems had recently been or were currently being developed to improve vehicle identification or intended for target hardening, including sophisticated tracking mechanisms. The private sector was actively seeking to contribute to the efforts of Governments and was promoting reliance on research and technology.

IV. ADOPTION OF THE REPORT

23. The Conference adopted its report, including the resolution contained in chapter I above, on 3 December 1996.

24. After the adoption of the report, the representative of IRTO, in expressing the full support of his Organization for the model treaty for the return of stolen or embezzled vehicles, also called the attention of the Conference to the current work of ECE, in particular the draft convention on measures to prevent the theft of vehicles in international road traffic and to defend the rights of their lawful owners considered by the Inland Transport Committee (TRANS/SC.1/WP.1/R.129). He also expressed the wish that the document be brought to the attention of the Commission on Crime Prevention and Criminal Justice.

V. CLOSING OF THE CONFERENCE

25. The Conference was closed by the Chief of the Office of the Council of Ministers of Poland, Mr. Leszek Miller. He emphasized the fact that, owing to the deleterious effects of transborder crime, international cooperation against it had become the fourth major area after political, economic and military cooperation. The recent Polish initiative in the General Assembly with a view to elaborating a framework convention against organized crime should be viewed in that perspective. The practical recommendations made by the Conference were a demonstration of both the political will and the interest of Member States to combine their efforts in the fight against one particularly onerous form of organized crime.

26. The Officer-in-Charge of the Crime Prevention and Criminal Justice Division ensured the Conference that the Division would do its best to provide the proper follow-up to its recommendations by bringing them, as requested by the Conference, to the attention of the Commission on Crime Prevention and Criminal Justice at its sixth session, to be held at Vienna from 28 April to 9 May 1997. He also thanked the host Government and all the participants for their cooperation, which had made the Conference a success, in spite of the limited time and resources available.

27. The Chairman of the Conference, in expressing his appreciation for the work accomplished during the two days of the Conference, stressed the importance of ensuring proper follow-up to its recommendations. Before officially declaring the Conference closed, the Chairman asked the participants to submit any comments or specific input concerning the model treaty to the Secretariat by 28 February 1997.